

113TH CONGRESS  
1ST SESSION

# S. 1729

To amend the Patient Protection and Affordable Care Act to provide further options with respect to levels of coverage under qualified health plans.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 2013

Mr. BEGICH introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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# A BILL

To amend the Patient Protection and Affordable Care Act to provide further options with respect to levels of coverage under qualified health plans.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Expanded Consumer  
5       Choice Act”.

6       **SEC. 2. PROVIDING FOR A NEW LEVEL OF COVERAGE**  
7                   **UNDER QUALIFIED HEALTH PLANS.**

8       (a) IN GENERAL.—Section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18022) is  
9       amended—

1                             (1) in subsection (a)(3), by inserting “copper,”  
2                             after “either the”;

3                             (2) in subsection (c)—

4                                 (A) in paragraph (1), by adding at the end  
5                             the following:

6                                 “(C) COPPER PLANS.—The cost-sharing  
7                             incurred under a health plan in the copper level  
8                             with respect to self-only coverage or coverage  
9                             other than self-only coverage for a plan year be-  
10                             ginning in 2015 shall not be less than an  
11                             amount determined appropriate by the Sec-  
12                             retary (such amount to be in excess of the  
13                             amount applicable to a bronze plan) increased  
14                             as provided for in subparagraph (B) for later  
15                             plan years.”;

16                             (B) in paragraph (2)—

17                                 (i) in subparagraph (A)—

18                                     (I) in clause (i), by striking  
19                                     “and” at the end;

20                                     (II) in clause (ii), by striking the  
21                                     period and inserting “; and”; and

22                                     (III) by adding at the end the  
23                                     following:

24                                     “(iii) for plan years beginning in  
25                                     2015, the amount provided for under para-

1                   graph (1)(C) in the case of a plan in the  
2                   copper level.”; and

3                         (ii) in subparagraph (C), by inserting  
4                         “or copper” after “bronze”; and

5                         (C) by adding at the end the following:

6                         “(5) REGULATIONS RELATING TO PLANS IN  
7                         THE COPPER LEVEL.—The Secretary shall promul-  
8                         gate regulations to provide for annual limits on  
9                         deductibles and cost-sharing for plans in the copper  
10                         level to ensure that such limits are reasonable for  
11                         every marketplace and to take into account the fea-  
12                         sibility of the relative plan design in each local insur-  
13                         ance marketplace.”;

14                         (3) in subsection (d)—

15                         (A) in paragraph (1), by adding at the end  
16                         the following:

17                         “(E) COPPER LEVEL.—Beginning in plan  
18                         year 2015, a plan in the copper level shall pro-  
19                         vide a level of coverage that is designed to pro-  
20                         vide benefits that are actuarially equivalent to  
21                         50 percent of the full actuarial value of the ben-  
22                         efits provided under the plan.”; and

23                         (B) in paragraph (4), by inserting “cop-  
24                         per,” after “providing a”; and

1                             (4) in subsection (e)(1), in the matter preceding  
2                              subparagraph (A), by inserting “copper,” after “pro-  
3                             viding a”.

4                             (b) MULTI-STATE PLANS.—Section 1334(c)(1)(B) of  
5                             the Patient Protection and Affordable Care Act (42  
6                             U.S.C. 18054(e)(1)(B)) is amended by inserting “copper,”  
7                             after “offering of the”.

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